

Applicant: Henry Daniell  
 Atty. Doc. No.: 922.6588P  
 Serial No.:  
 Filed:

For: UNIVERSAL CHLOROPLAST INTEGRATION AND EXPRESSION VECTOR.  
 TRANSFORMED PLANTS AND PRODUCTS THEREOF

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
 (37 C.F.R. §1.9(f) and §1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: AUBURN UNIVERSITY  
 ADDRESS OF ORGANIZATION: 309 Samford Hall  
 Auburn University, AL 36849-5176  
 TYPE OF ORGANIZATION:

- ☒ University or other Institution of Higher Education:  
☐ Tax exempt under Internal Revenue Service Code (26 U.S.C. §501(s) and §501(c)(3));  
☐ Nonprofit scientific or education under Statute of State of the United States of America  
 (Name of State \_\_\_\_\_)  
 (Citation of Statute \_\_\_\_\_);  
☐ Would qualify as tax exempt under Internal Revenue Service Code (26 U.S.C. §501(a) and §501(c)(3)) if located in the United States of America;  
☐ Would qualify as nonprofit scientific or educational under Statute of State of the United States of America if located in the United States of America  
 (Name of State \_\_\_\_\_)  
 (Citation of Statute \_\_\_\_\_).

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. §1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled UNIVERSAL CHLOROPLAST INTEGRATION AND EXPRESSION VECTOR, TRANSFORMED PLANTS AND PRODUCTS THEREOF by inventor(s) Henry Daniell described in

- ☒ the specification filed herewith;  
☐ application serial No. \_\_\_\_\_, filed \_\_\_\_\_;  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 C.F.R. §1.9(d) or by any concern which would not qualify as a small business concern under 37 C.F.R. §1.9(d) or a nonprofit organization under 37 C.F.R. §1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. §1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. §1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Jan Dowdle Thornton, J.D.  
 Title in Organization: Director  
 Address of Person Signing: 309 Samford Hall, Auburn University, AL 36849-5176

Signature

*Jan Dowdle Thornton*

Date

3/19/98

Declaration For Patent Application

As a below named inventor, I hereby declare that:

Our residence, post office address and citizenship are as stated below next to our my name,

We believe we are the original, first and sole inventors or an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled UNIVERSAL CHLOROPLAST AND INTEGRATION EXPRESSION VECTORS, TRANSFORMED PLANTS AND PRODUCTS THEREOF the specification of which

☒ is attached hereto.

☐ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any Amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

We hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Country	Application Number	Date of Filing (day, month, yr)	Date of Issue (day, month, yr)	Priority Claimed Under 35 USC Sec. 119
NONE				<input type="checkbox"/> yes <input type="checkbox"/> no
				<input type="checkbox"/> yes <input type="checkbox"/> no
				<input type="checkbox"/> yes <input type="checkbox"/> no

Earliest Foreign Application(s), if any, filed more than 12 months prior to this Application  
NONE

We hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, We acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

## UNITED STATES APPLICATIONS

08/591,407  
Application Serial No.

January 25, 1996  
Filing Date

Pending  
Status

60/055,314  
Application Serial No.

August 7, 1997  
Filing Date

Pending  
Status

60/079,042  
Application Serial N .

March 23, 1998  
Filing Date

Pending  
Status

MAY 14 1998 12:10

BOTANY & MICRO  
WEISER & ASSOCIATES, PC

NO. 027 P.3  
NO. 002 P.4/17

POWER OF ATTORNEY: As a named inventor, We hereby appoint the following attorney(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

GERARD J. WEISER, Reg. No. 19,763  
IAN M. HUGHES, Reg. No. 41,083

STEVE MENDELSON, Reg. No. 35,951

SEND CORRESPONDENCE TO:

DIRECT TELEPHONE CALLS TO:

Gerard J. Weiser, Esq.  
Weiser & Associates, P.C.  
230 S. 15th St. - Suite 500  
Philadelphia, PA 19102

Gerard J. Weiser, Esq.  
(215) 875-8383

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Henry Daniell  
Residence Auburn, Alabama  
Citizenship USA  
Post Office Address 400 Kimberly Drive, Auburn, Alabama 36832  
Inventor's Signature [Signature] Date 5/14/98

09079640-051598

LAW OFFICES  
Weiser & Associates, P.C.  
SUITE 500  
230 S. FIFTEENTH ST.  
PHILADELPHIA, PA 19102  
(215) 875-8383  
FACSIMILE (215) 875-8774